



Kelley Freda  
Chairperson

CONSERVATION COMMISSION  
*City of Leominster, Massachusetts*  
CITY HALL - 25 WEST STREET  
LEOMINSTER, MASSACHUSETTS 01453  
www.leominster-ma.gov

Marco L. Bangrazi  
Conservation Agent  
conservation@leominster-ma.gov

Telephone (978) 534-7524 ext. 259 Facsimile (978) 840-8034

**Leominster Conservation Commission  
Public Meeting  
25 West St, Room 10  
July 19<sup>th</sup>, 2016 – 7:00 PM  
Meeting Minutes**

I. In attendance:

Kelley Freda – <b>Chairperson</b>	Marco Bangrazi - <b>Conservation Agent</b>
Daniel Brodeur	
Paul Colombo	
Larry Gianakis, Jr.	Absent
Scott Pearson	

II. The meeting is opened at **7:00pm.**

**Continued Hearings**

Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by the City of Leominster DPW for the rehabilitation of approximately 3,000 feet of North Street. The project will include multi-modal transportation upgrades and improvements to Stormwater management structures within the 100-foot Buffer Zones of Bordering Vegetated Wetlands. DEP file number 199-1031.

1. Gene F. Crouch, Senior Wetland Scientist, at vhb represents the project.
2. There were comments / questions on the project from DEP. They are presented with answers.

**QUESTION 1**

The Project Description (A6) describes work proposed within BLSF and Riverfront Area. If work is proposed in these Resource Areas, it must be included in the narrative and quantified in Section B of the NOI. The applicant should verify that the design criteria of the Bioretention Area meet the criteria contained in Volume 2, Chapter 2 of the Massachusetts Stormwater Handbook (depth to groundwater, appropriate plantings, etc.)

**ANSWER 1**

There is no work in flooding or riverfront areas. The copy was miscopied from Lunenburg and was never deleted.

**QUESTION 2**

The Swamp White Oaks appear to be proposed in locations that may be too dry for this species.

#### ANSWER 2

Swamp White Oaks were replaced with red maple.

#### QUESTION 3

Can any improvements be made to the proposed 36" culvert between Wetlands 3 and 4 to improve compliance with the Massachusetts Stream Crossing Standards? Will the inlet or outfall be perched? Can the openness be improved, even if the openness standard cannot be met? A detail of the 36" pipe replacement should be included on the Site Plans.

#### ANSWER 3

It will be required that the contractor verify that we have 2 feet of separation from the bottom of the basin and groundwater. This was included in details on the plan. 36" was increased to a 48".

#### QUESTION 4

The Site Plans should clearly depict the locations of the wetland resource areas, Buffer Zones and erosion controls.

#### ANSWER 4

They are already depicted on the plan.

3. The Conservation Commission is notified of a big change for cost-savings. Currently at Stuart Street there are 4 pipes coming out of a headwall (A stream and drainage from the road outlets to the same location as where a catch basin dumps out, which is the same spot that a large watershed outfall is located. A revised drainage report that reflects the change is shown to the Conservation Commission. Now 2 pipes will be abandoned and the headwalls will be left alone.
4. Brodeur notes that North St. is going down to the basin. He asks what about Stewart Ave. Crouch shows on the map where the outlets eventually dump to.
5. Colombo asks is the boundary of the map the same as the boundary of the lot that would potentially be developed in the future. Crouch shows Colombo the boundary on a plan that he finds on the screen. He does add that this would be something that the City would have to negotiate.
6. Freda is concerned of a failure of the basin and having to do repair. Crouch says if something fails, you could physically go in (because this basin drains down in between storms) and prevent continued damage.
7. Freda also commented that in the DEP comments it was noted that the contractor was going to verify the 2-foot separations from the bottom of the basin and groundwater. Crouch stated that they ended up aligning it instead and it will no longer matter where ground water is.
8. Pearson asks about the design of the basin and asks Crouch to confirm that the first inch goes into the basin and the rest is diverted. Crouch states that it depends on the frequency /intensity of the storm.
9. Freda asks are there any Commissioners who have questions on this project.
10. Freda asks if there are any members of the audience who wish to speak on this public hearing.
11. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.



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12. Erosion controls are discussed.
13. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed.
14. Bangrazi states that DPW would be willing to maintain the basin. Bangrazi recommends a standard order of conditions with the standard boilerplate with the following added condition:
  - a. I recommend we issue a standard Order of Conditions with a boiler plate for DEP File #199-1031.
15. Brodeur makes a motion for a standard order of conditions with the standard boilerplate with the added condition from the Conservation Agent for the rehabilitation of approximately 3,000 feet of North Street. The project will include multi-modal transportation upgrades and improvements to Stormwater management structures within the 100-foot Buffer Zones of Bordering Vegetated Wetlands. DEP file number 199-1031. Colombo seconds the motion. The motion is unanimously approved by the Commission.

### III. Regular Meeting

1. Call to Order
2. Enforcement
  - a. 375 Harvard Street – DEP File #199-781 (Expired 9/13/15).  
Bangrazi has contacted Whitman & Bingham LLC. They are aware of the August 9, 2016 meeting. He is looking for an update prior to that meeting.
  - b. Freda suggests that the Leominster Conservation Commission give them until August 9, 2016 and then if not updated the Leominster Conservation Commission will seek legal counsel.
3. Communications, there are none at this time.
4. Minutes
  - a. May 24<sup>th</sup>, 2016 - Pearson makes a motion to accept the minutes from May 24, 2016 as presented. Brodeur seconds the motion. The motion is unanimously approved by the Commission.
  - b. June 14<sup>th</sup>, 2016 – Pearson makes a motion to approve the minutes from June 14, 2016 as presented. Brodeur seconds the motion. The motion is unanimously approved by the Commission.
5. Old Business
  - a. Bassett Street – No Parking Sign Update from City Council  
At the request of the Leominster Conservation Commission, Bangrazi petitioned the City Council to enforce no parking signs on the West side of Bassett Street. The petition was granted at the July 11<sup>th</sup> meeting. The following comment was given:

Since Bassett Street is an unaccepted street, we cannot have an ordinance prepared. City Council believes that Chief of Police has the authority to put up temporary signs

and has requested that he do so. Freda hopes that the Leominster Conservation Commission will have an opportunity to comment on this issue at a later date.

6. New Business

- a. Lots 5 & 6 Sawtelle Road – DEP File #199-982 & 199-979 – Wetland Replication Requirements (Expires 10/23/16)

Bangrazi was contacted by the builder of the homes. Lot 6 has a Wetland concern. 800 feet of Wetland was filled. The project proposed to fill more. Builder did not fill the back half of the property (estimated 300 sq. feet). The builder has a concern accessing the back of the property for Wetland replication. The builder would like to come up with additional plans for replication with the input of the Leominster Conservation Commission. The builder would like for the Commission to do a site walk.

7. Certificate of Compliance

- a. 746 Merriam Avenue – DEP File #199-966 (Expires 5/4/17). The following email is read into the records (in summary):

*June 29, 2016*

*Dear Commission Members,*

*James E Gaffney Co. has inspected the completed construction of 746 Merriam Avenue on June 16, 2016. A visual inspection and a topographic survey were performed for the areas that are under the jurisdiction of the Leominster Conservation Commission.*

*James E Gaffney Co. certifies to the best of its knowledge that the new construction work was performed in accordance with the following:*

- 1. Special conditions for Wetland orders issued April 4, 2014 DEP File #199-966.*
- 2. Plan entitled Permit Plan. Plan # 7005.*
- 3. Plan entitled As Built Plan. Plan #7005-C.*

*Except as noted below...*

- 1. The proposed retaining wall was located behind and parallel to the house and running parallel to the drive was eliminated.*
- 2. A portion of the retaining wall running parallel to the shore of the pond was built approximately 10 feet further away from the pond as shown on the as built plan.*
- 3. Please note that the completed grading resulted in a net increase of 5.3 cubic yards flood plane storage. All disturbed areas have been loamed, seeded and stabilized.*

*Should you have any questions please contact me.*

*James E Gaffney Co.*

- i. Bangrazi recommends the issuance of a Certificate of Compliance for DEP File #199-966



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- ii. Brodeur files a motion for a certificate of compliance for DEP File #199-966. Colombo seconds the motion. The motion is unanimously approved by the Commission.
- b. 554 Pierce Street – DEP File #199-666 (Expired 11/14/03) The following email is read into the records (in summary):

*July 6, 2016*

*Dear Commission Members,*

*On behalf of our Client, Whitman and Bingham Associates LLC, respectfully requests a certificate of compliance for 554 Pierce Street Leominster. DEP File #199-666.*

*The project was for the addition of circular turnaround to an existing driveway.*

*Whitman and Bingham LLC has inspected the work proposed on July 6, 2016. The proposed circular driveway was not installed.*

*We are requesting a certificate of compliance for the work order because the work was never started.*

*If you should you have any questions please do not hesitate to contact me.*

*Anthony Cleaves  
Whitman and Bingham LLC*

- i. Bangrazi recommends the issuance of a Certificate of Compliance for DEP File #199-666
- ii. Pearson files a motion to order a certificate of compliance for 554 Pierce Street – DEP File #199-666. Colombo seconds it. The motion is unanimously approved by the Commission.
- c. 207 Mill Street – DEP File #199-444 (Expired 9/14/96) The following email is read into the records (in summary):  
*July 7, 2016*

*Dear Marco,*

*On September 14, 1993, The Leominster Conservation Commission issued an order of conditions 207 Mill Street. The work was completed. However, a certificate of compliance was never requested.*

*Gagne Realty Corp. of Leominster now owns the property and is requesting a certificate of compliance. Completed form 8-A is attached.*

*Signed,*

*Patrick McCarty  
McCarty Engineering*

- i. Bangrazi recommends the issuance of a Certificate of Compliance for DEP File #199-444
  - ii. Pearson files a motion to order a certificate of compliance for 207 Mill Street – DEP File #199-444. Colombo seconds it. The motion is unanimously approved by the Commission.
- 8. Extension Permits, there are none at this time.
- 9. Emergency Certifications, there are none at this time.
- 10. Project Update Requests.
  - a. Sawyer Way was discussed. Freda recommends that Bangrazi send a letter.
  - b. This project will be put on the agenda for the next meeting.
- 11. Budget
  - a. Bangrazi states that there have been no deposits made for FY17 yet.
- 12. Agent's Report, there is not one at this time.
- 13. Chairman's Report. The State Executive Office of Environmental and Energy Affairs issued a drought watch last week.
- 14. Sign Papers
- 15. Next Meeting
  - a. August 9<sup>th</sup>, 2016. Deadline, July 28<sup>th</sup>, 2016
- 16. Adjournment.

Respectfully Submitted,

Sandy Pellecchia, Conservation Scribe

**The interests identified in the Wetland Protection Act**

- (1) Protection of public and private water supply***
- (2) Protection of ground water supply***
- (3) Flood control***
- (4) Storm damage protection***
- (5) Prevention of pollution***
- (6) Protection of land containing shellfish***
- (7) Protection of fisheries***
- (8) Protection of wildlife habitat***
- (9) Protection of fisheries***
- (10) Protection of wildlife habitat***